

BILL NO. G-85-12-11

(as amended)

GENERAL ORDINANCE NO. G-13-86

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of public right-of-way.

WHEREAS, a petition to vacate a portion of public street within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and,

WHEREAS, said Commission duly held a public hearing thereon; and,

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and thos body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and,

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of public street within the City of Fort Wayne, more specifically described as follows, to-wit:

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning,

more particularly shown on the attached exhibit and same is part hereof.

Bill No. G-85-

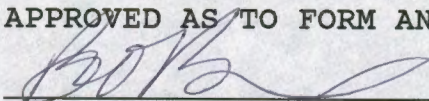
Page two

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects: However, this vacation is subject to a requirement that a cul-de-sac will be provided at the west side of the vacated portion of Pasadena Drive.

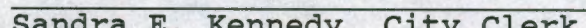
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

**Public hearing to be held on _____, the _____ day of _____, 19____, in the Council Chambers.


Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Read
seconded by Talarico, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ .M., E.

DATE: 12-10-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Curtis
seconded by Stier, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>1</u>	<u>1</u>	<u>1</u>	
<u>BRADBURY</u>		<u>N</u>			
<u>BURNS</u>	<u>Y</u>				
<u>EISBART</u>	<u>Y</u>				
<u>GIAQUINTA</u>				<u>A</u>	
<u>HENRY</u>			<u>A</u>		
<u>REDD</u>	<u>Y</u>				
<u>SCHMIDT</u>	<u>Y</u>				
<u>STIER</u>	<u>Y</u>				
<u>TALARICO</u>	<u>Y</u>				

DATE: 4-8-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)
(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. 9-13-86
on the 8th day of April, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 9th day of April, 1986
at the hour of 1:00 o'clock PM .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of April
1986, at the hour of 10 o'clock PM .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

PETITION TO VACATE PORTION OF STREET

TO: City Plan Commission
City of Fort Wayne, Indiana

The undersigned petitioner does hereby respectfully request and petition the Fort Wayne City Plan Commission to vacate the following portion of a public street, within the City of Fort Wayne, Indiana, and described as follows:

Commencing at the west curb line of Fairfield Avenue (northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence south 50 feet; thence east 134 feet and further east through the curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning, all as more particularly shown on the attached Exhibit "A" made a part hereof.

In support hereof, your petitioner represents as follows:

1. That your petitioner is the only owner of the real estate bordering both sides of the portion of the street to be vacated;
2. That the portion of the street to be vacated is not necessary as ingress or egress to other properties;
3. That the portion of the street to be vacated presently is closed during the following times for operation of St. John The Baptist School:

8:10 a.m. to 8:30 a.m.
10:00 a.m. to 10:35 a.m.
11:40 a.m. to 12:30 p.m.
2:50 p.m. to 3:05 p.m.
4. That no other person, firm, or corporation is interested in or affected by the requested vacation;
5. That the maintenance of the portion of the street to be vacated, as herein requested, is not necessary or advantageous to the growth of the City of Fort Wayne and that such vacation would be in the best interests of this City and the citizens hereof;

6. That the vacation, as herein requested, will be of a benefit to the petitioner inasmuch as such vacation will allow for the expansion of the petitioner's educational facilities to and for the benefit of residents of this community; and

7. That the vacation of the portion of the street, as herein requested, will not cause a hardship upon anyone, but rather, same will be of a true and direct benefit to City residents.

Your petitioner files this petition pursuant to the authority granted in I.C. 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above-described street (portion) be vacated according to the provisions of Indiana law pertaining thereof.

Dated this 7 day of NOV, 1985.

Petitioner:

ST. JOHN THE BAPTIST CHURCH

BY: James J. Wolf
Father James J. Wolf, Pastor

Petitioner's Address:

4525 Arlington Avenue
Fort Wayne, Indiana 46807

Agent's Name and Address:

Jerry McArdle
1325 Sunset Drive
Fort Wayne, Indiana 46807
219-745-3575

RESOLUTION

WHEREAS, ST. JOHN BAPTIST CATHOLIC CHURCH, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street in Fort Wayne, Allen County, to-wit:

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on December 16, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held December 30, 1985, and as the same appears of record in the official records of said Plan Commission.

Resolution
Bill No. G-85-12-11

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DATED THIS 27 DAY OF February 1986

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

RESOLUTION 76-18-6

WHEREAS, ST. JOHN BAPTIST CATHOLIC CHURCH has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof:

WHEREAS, said vacation of portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, DAVID J. KIESTER, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held Wednesday, February 26, 1986 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 26th DAY OF February, 1986

FORT WAYNE BOARD OF PUBLIC WORKS

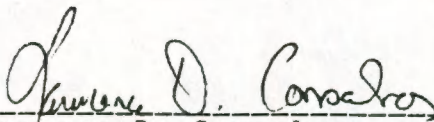
David J. Kiester
Director of Public Works

Colette R. Simon
Director of Administration & Finance

Resolution

Bill No. G-85-12-11

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Lawrence D. Consalvos
Director of Public Safety

GRANT OF EASEMENT

WHEREAS, St. John's The Baptist Church, of Fort Wayne, Indiana ("Grantor") has petitioned the City Plan Commission of the City of Fort Wayne, Indiana for vacation of a portion of Pasadena Drive, Fort Wayne, Indiana;

WHEREAS, the Plan Commission has recommended a "do pass" with respect to said Petition to Vacate, subject to certain conditions;

WHEREAS, it is the desire of the Grantor to meet the conditions as required by the Plan Commission.

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, St. John's The Baptist Church, of Fort Wayne, Indiana ("Grantor") does hereby grant and convey unto the City of Fort Wayne, Indiana ("Grantee") a public access easement upon, across, through, under, over and above the following described real estate located within Allen County, Indiana, to-wit:

Commencing at the west curb line of Fairfield Avenue (northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence south 50 feet; thence east 134 feet and further east through the curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning;

This easement herein granted shall remain in full force and effect until that point in time that a building permit is issued to the Grantor, and should no construction occur within ninety (90) days from the issuance of said building permit, then the easement, as herein granted, will continue. In the event a building permit is received by the Grantor and construction is commenced by the Grantor within ninety (90) days thereafter, then this easement shall be rendered null and void and shall automatically extinguish. During that period that this easement is in full force and effect, the Grantee, City of Fort Wayne, shall maintain the property subject to the easement.

As long as this easement remains in full force and effect, the Grantor shall not engage in any activity, unless otherwise approved by the City of Fort Wayne, that would in any fashion diminish or limit the public access easement as herein granted. If it becomes necessary for the City of Fort Wayne to institute a lawsuit to enforce the terms and conditions hereof, the Grantor agrees that damages are insufficient and agrees that the City has the right to injunctive relief, along with reasonable attorney's fees.

IN WITNESS WHEREOF, the undersigned Grantor has caused this instrument to be executed this 5th day of February, 1986.

ST. JOHN'S THE BAPTIST CHURCH

BY: James J. Wolf
Father James J. Wolf, Pastor

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Father James J. Wolf, and acknowledge the execution of the above and foregoing to be his voluntary act and deed.

WITNESS my hand and official Notarial Seal this 5th day of Feb., 1986.

My Commission Expires:
1-24-87

Christopher A. Cobb
Notary Public

My County of Residence:
Allen

This instrument prepared by Dennis J. Grotrian, Attorney at Law, Suite 200, Metro Building, Fort Wayne, Indiana, 46802.

FACT SHEET

G-85-12-11

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Street Vacation Ordinance

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

Portion of Pasadena Drive from the 1st
N/S alley east of Arlington Av to Fairfield.

Reason for Project

Future expansion of St. John the Baptist
Catholic School

Discussion (Including relationship to other Council actions)16 December 1985 - Public Hearing

The public hearing minutes are attached.

30 December 1985 - Business Meeting

Of the 8 members present - 7 voted in
favor of returning the ordinance to the
Common Council with a DO PASS recommendation,
one did not vote.

A condition was placed upon the request
requiring the petitioner to provide the
City with a public access easement, in a
form acceptable to our attorney. This
condition has been met, a copy of said
easement agreement is attached to the
original ordinance and on file in the
Plan Commission Office.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

St. John the Baptist
Catholic Church
City Department

Other

Opponents**Groups or Individuals**

Fairmount Neighborhood Assn

Basis of Opposition

-inconvenience to area resi-
dents

**Staff
Recommendation**☐ For☒ Against**Reason Against**

-due to adverse impact on
surrounding area

**Board or
Commission
Recommendation****By**☒ For☐ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 7 November 1985

Projected Completion or Occupancy

Date 27 February 1986

Fact Sheet Prepared by

Date 24 February 1986

Patricia Biancaniello

Reviewed by

Date

Gary Burtin

2/24/86

Reference or Case Number

Minutes

16 December 1985

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- c. Bill No. G-85-12-11 - Vacation Petition #172
Portion of Pasadena Drive from the first north-south
alley east of Arlington Avenue.

Ben Eisbart read the following petition in opposition to the proposed vacation, which had approximately 47 signatures into the record:

"We the undersigned property owners, protest the proposed vacation of a portion of Pasadena Drive, on which a public hearing is to be held Monday, December 16, 1985 at 7 P.M. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana."

Mr. Eisbart also made a part of the record a letter from Pearl Neidigh, Secretary of Fairmont Neighborhood Association in opposition to the proposed vacation.

Jerry McArdle, representing St. John the Baptist Catholic School. Mr. McArdle stated that the their primary reason for wanting this portion of Pasadena closed is for "safety". He stated that they are presently closing the street off 5 times during the school day. He stated that the second reason is that they may need to expand in the near future and this will give them the necessary room to expand. He stated that they will if they do expand, relocate the necessary utilities in the street.

Mr. McArdle stated that he felt the Traffic Engineering count was not accurate. He stated that they went beyond the mechanical count and took a physical count. He stated that during the school day, between 7 am to 4 pm, 50% of the cars that came down Pasadena stopped at the school. He stated also that these cars were going across the counter twice. He stated that on the day that they did the study, in the 6 pm to 10 pm time period, the school had 4 meetings at the school and church. He stated that they feel a more realistic number from the 705 that Traffic Engineering counted was 550 and if you eliminate the cars going and coming from the school, which is approximately 200, you end up with a traffic count of 350. He stated that this is a low average for a residential street. He stated that they are willing to accomodate the requirements of the engineering staff with regard to easements.

Bob Hutner stated he could understand the hazard in crossing Pasadena from the parking lot to the school, but he stated that their is a business next to church or school and questioned if that would require people using the store to backing up and

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turning around and go back down Pasadena. He also questioned if they planned to alter the one-way street situation with Harrison Hill. He stated that street is widely used by people who cross Fairfield take a one-way street going north, as you pass Harrison Hill, for certain exists into the school.

Mr. McArdle stated they would comply with the recommendations of Traffic Engineering once the street was closed. He stated that he had no suggestions as to how to take care of that situation. He stated that there is no store, but a beauty shop, which is on Pasadena, between Arlington and South Wayne. He stated that you could come from both ways to the shop.

Mrs. Kenna questioned how long the school had been blocking off the street 5 times a day.

Terry Taulbe, principal of St. John's School, stated as far back as she could locate in the files, 10 years.

Mrs. Kenna stated that if the blocking off of the street has been satisfactory for 10 years why are they now requesting the vacation.

Mr. McArdle stated that it is for safety of the children. He stated they have had people who ignore the barricades and go through them. He stated they feel also that expansion is eminent.

Mrs. Terry Taulbe, principal, for St. John's Baptist School appeared before the Commission. Mrs. Taulbe stated that their school enrollment is enlarging. She stated that her primary concern is the safety of the children. She stated that they have 430 students, and presently they do use the barricades. She stated that the school playground is across the street and they must cross the street. She stated the children are used to the barricades being there. She stated that when the barricades are not there, such as after school during after hour activities, the children get careless and they are not as cautious as they should be when crossing the street, because they are used to the barricades. She stated that the barricades have been ignored by people who have gone around them, they have been run over. She stated they have reported 2 or 3 cars this year of people who have ignored the barricades. She stated they have gotten heavier and sturdier barricades from the traffic division of the Police Department. She stated that the new state law requires less children in each class and they have the same enrollment of ten years ago, but they must have more classroom space.

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16 December 1985

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David Kiester questioned if this crossing guard is not also responsible for students from Harrison Hill School as well as from St. John the Baptist.

Mrs. Taulbe stated that she does cross children from Harrison Hill also.

Father James Wolf, Pastor at St. John the Baptist appeared before the Commission. Father Wolf read a letter from the Southwood Park Community Association into the record which "voted unanimously to support the petition" to vacate the portion of Pasadena the school was requesting. Father Wolf reiterated the need for the children's safety and also the need for the future expansion of the school as a reason for vacating the portion of Pasadena. He stated that they have gotten approval from the diocese to expand when the need arises.

Mel Smith questioned what percentage of the students walk to school and what percentage are driven.

Mrs. Taulbe stated that she would not be able to venture a guess, but they do have a lot of students who walk, since they are a neighborhood school. She stated it also depends upon the weather. Mrs. Taulbe stated she would get a breakdown of the number of students who walk.

Pearl Neidigh, Secretary of Fairmount Neighborhood Association appeared before the Commission in opposition to the proposed vacation. Mrs. Neidigh stated that there were people also in Southwood Park who were against this petition. She stated that Pasadena is the only thru street south of Rudisill to Pettit, it is the only thru street from east and west to and from Old Mill Road and Fairfield or Calhoun Streets. She stated if closed it would cause more traffic on Arlington which is narrow and on Clermont Drive which is unpaved. She stated they have no objection to the barricades. She stated it is one of the only streets that is plowed in the winter. She stated that she lives on the northeast corner of Arlington and Pasadena and if the street was closed it would allow for children to be playing on the portion of Pasadena directly on the side of her home. She stated this would cause her an additional hardship.

Steve Smith questioned why people who lived on Oakdale, Manito, and Korte Lane signed the petition, since there are not in the neighborhood.

Mrs. Neidigh stated that these people use the street because of

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the beauty operator and they signed in objection because of the inconvenience it would cause.

Mrs. Kenna questioned if the school had considered expanding to the west.

Father Wolf stated that the school presently owns the whole block bounded by Fairfield, Arlington, Sherwood Terrace and Pasadena Drive and they is no more room to build on this area. He stated that there are two streets that go thru to Old Mill Road and they are Sherwood Terrace and Lexington Avenue. He stated that the reason that Pasadena Drive is plowed is that they (the church) have a private contract to clear the street as well as the parking lot, it is usually done before the City can get to it.

Ben Eisbart questioned if they had met with the Fairmont Association.

A school representative stated that he had contacted a couple of people on the phone and received a negative response.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

No 509

FT. WAYNE, IND., 11/8 1985

RECEIVED FROM B. Baxton \$100.00

THE SUM OF One hundred and 00/100 100 DOLLARS

ON ACCOUNT OF Fairfield + Pasadena
+ Johns Church

B. Steele

AUTHORIZED SIGNATURE

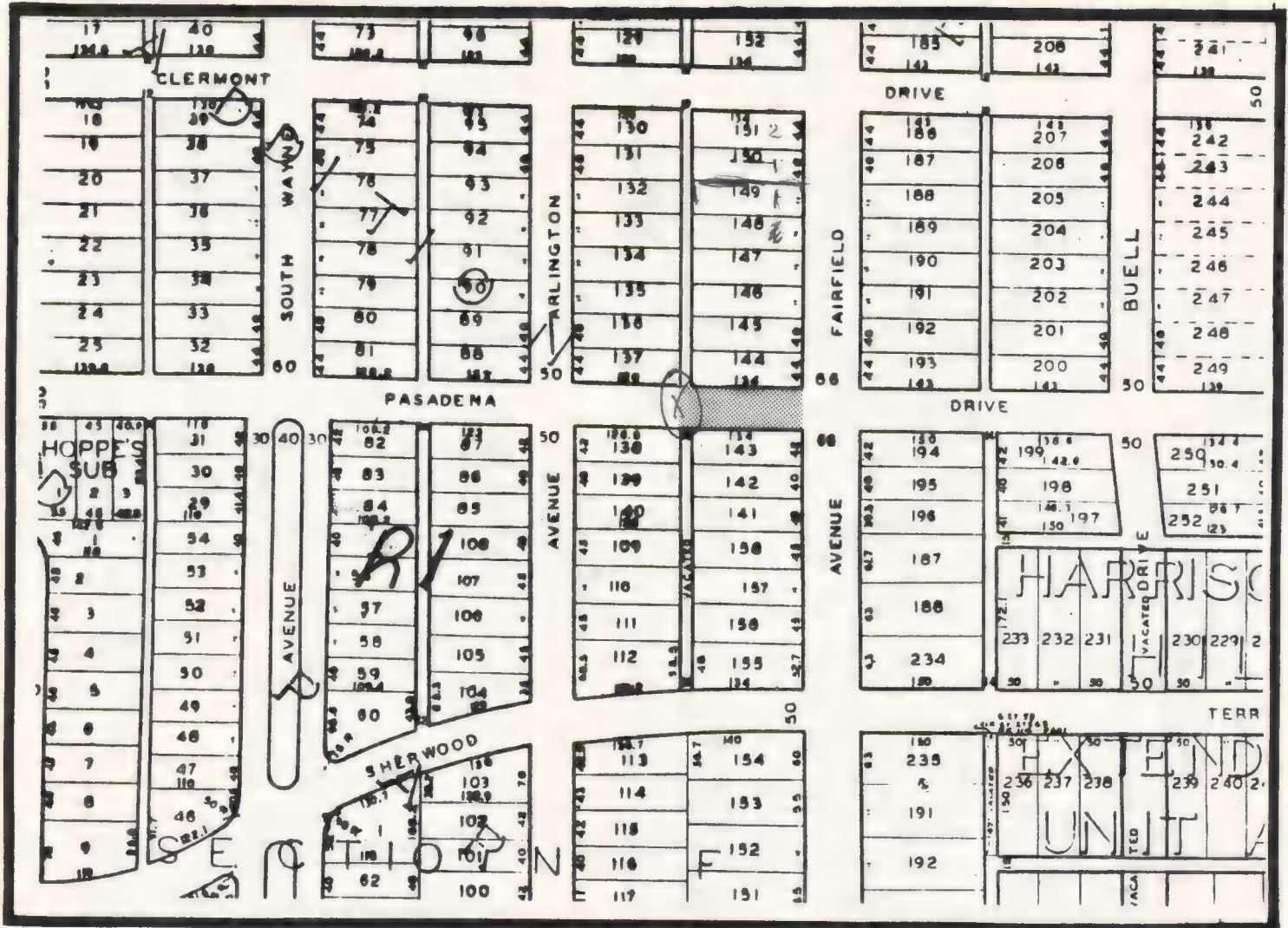
VACATION PETITION

#172

A PETITION TO VACATE THE DESCRIBED PORTION OF PUBLIC STREET.

MAP NO. L-15

COUNCILMANIC DISTRICT NO. 5



Zoning:

Land Use:

RI RESIDENTIAL DISTRICT

NORTH



Scale: 1" = 200'

Date: 11-21-85

NOTICE OF PUBLIC HEARING

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, December 16, 1985 at 7:00 p.m. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana on a proposed vacation of public right-of-way, more particularly described as follows.

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning,

All interested persons are invited to appear and be heard.

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, IN 46802

16 December 1985

NOTICE OF PUBLIC HEARING ON THE VACATION OF PUBLIC RIGHT-OF-WAY

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, December 16, 1985, at 7:00 p.m. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on a proposed vacation of public right-of-way.

A portion of Pasadena Drive from the first North-South alley west of Arlington Avenue to Fairfield Avenue.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the hearing. If you have any questions you may call us at 427-1170.

NOTE: THE LAW REQUIRES THAT A LEGAL AD BE PUBLISHED IN THE NEWSPAPERS. NOTICES TO AREA RESIDENTS ARE SENT AS A COURTESY. IT IS ADVISED THAT YOU NOTIFY MEMBERS OF YOUR NEIGHBORHOOD ASSOCIATION OF THE ABOVE PUBLIC HEARING.

Fairfield Neigh Assn.
Dave Hart, Pres.
4317 Tacoma Avenue
Fort Wayne, IN 07

Southwood Park Assn
John Mahoney, Pres.
4717 Indiana Avenue
Fort Wayne, IN 07

Neidigh
4426 Arlington Avenue
Fort Wayne, IN 07

Woehnker
4425 Arlington Ave
Fort Wayne, IN 07

Webster
4431 So. Fairfield Avenue
Fort Wayne, IN 07

Waikel
4501 Fairfield Avenue
Fort Wayne, IN 07

AGENT: Jerry McArdle / 1325 Sunset Drive / City 07

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-85-12-11

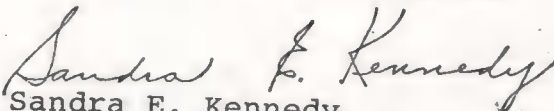
Portion of Pasadena Drive from the first North-South alley east of Arlington Avenue to Fairfield Avenue. Future expansion of St. John the Baptist Catholic School.

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning,

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana will conduct a public hearing on Tuesday, March 25, 1986, at 7:00 P.M. (EST) in Room 128, Common Council Conference Room, City-County Bldg., One Main St, Fort Wayne, Indiana more particularly described as follows:

All interested parties are invited to appear and be heard.

Fort Wayne Common Council


Sandra E. Kennedy
City Clerk

March 10, 1986

NOTICE OF PUBLIC HEARING ON BILL NO. G-85-12-11

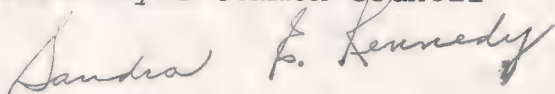
You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, March 25, 1986, at 7:00 P.M., (EST) in the Common Council Conference Room 128, 1st. Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

A portion of Pasadena Drive from the first North-South alley west of Arlington Avenue to Fairfield Avenue.

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council



Sandra E. Kennedy
City Clerk



The City of Fort Wayne

March 12, 1986

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.,
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of
March 15 , 1986, in both the News Sentinel and Journal
Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-85-12-11
Alley vacation

Please send us 4 copies of the Publisher's Affidavit
from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-85-12-11

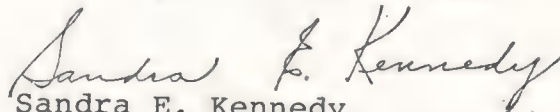
Portion of Pasadena Drive from the first North-South alley east of Arlington Avenue to Fairfield Avenue. Future expansion of St. John the Baptist Catholic School.

Commencing at the west curb line of Fairfield Avenue (Northwest corner of Fairfield Avenue and Pasadena Drive) and proceeding west across said curb and further west an additional 134 feet to the intersection of the east right-of-way line of the existing north-south alley; thence South 50 feet; thence east 134 feet and further east through curb line to the west curb line of Fairfield Avenue (the southwest corner of Fairfield Avenue and Pasadena Drive); thence north 50 feet to the point of beginning,

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, Indiana will conduct a public hearing on Tuesday, March 25, 1986, at 7:00 P.M. (EST) in Room 128, Common Council Conference Room, City-County Bldg., One Main St, Fort Wayne, Indiana more particularly described as follows:

All interested parties are invited to appear and be heard.

Fort Wayne Common Council


Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines
Head number of lines
Body number of lines
Tail number of lines
Total number of lines in notice

COMPUTATION OF CHARGES

29 lines, 1 columns wide equals 29 equivalent lines at 450¢ cents per line \$ 13.05
Additional charge for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00
TOTAL AMOUNT OF CLAIM \$ 14.05

DATA FOR COMPUTING COST

Width of single column 12.5 picas Size of type 6 point
Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose
Date Mar. 22 19 86 Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

3/15 - 3/22/86
Subscribed and sworn to me before this 22nd day of March 19 86
Anne M. Perkins Notary Public

My commission expires November 29, 1989

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-85-12-11

Portion of Pasadena Drive from the first North-South alley east of Arlington Avenue to Fairfield Avenue. Future expansion of St. John the Baptist Catholic School.

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All interested parties are invited to appear and be heard.

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines	
		3
Head	number of lines
		23
Body	number of lines
		3
Tail	number of lines
		29
Total number of lines in notice	

COMPUTATION OF CHARGES

29	1	29	.450¢	\$ 13.05
..... lines, columns wide equals equivalent lines at cents per line			
Additional charge for notices containing rule or tabular work (50 per cent of above amount)			
Charge for extra proofs of publication (50 cents for each proof in excess of two)			
				2 extra 1.00
TOTAL AMOUNT OF CLAIM				\$ 14.05

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Mar. 22 19 86

Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

3/15 - 3/22/86

Subscribed and sworn to me before this 22nd day of March 19 86

Drusilla Roose
Anne M. Perkins Notary Public

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NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
BILL NO. G-85-12-11
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Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

to 6-85-12-11

ADD: ~~THAT~~

^{However}
7/1/15

VACATION IS SUBJECT

TO A REQUIREMENT THAT ~~AT~~ A

CUT BE -SAC WICE BE PROVIDED AT

THE WEST SIDE OF THE VACATED PORTION
OF PASTORAL DIVERS.

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. 5

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Portion of Pasadena Drive from the first North-South alley
east of Arlington Avenue to Fairfield Avenue.

G-85-12-11
As amended

EFFECT OF PASSAGE Property is public right-of-way. Property will be closed to
public and revert to adjacent property owners for private use.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. G-85-12-11

as Amended

*Hold
April 8.*

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~) (RESOLUTION) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating a portion
of public right-of-way

HAVE HAD SAID (ORDINANCE) (~~XXXXXXXXXX~~) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)

(~~XXXXXXXXXX~~)

YES

NO

[Signature]

BEN A. EISBART
CHAIRMAN

[Signature]

JANET G. BRADBURY
VICE CHAIRWOMAN

[Signature]

DONALD J. SCHMIDT

ABSTAIN
THOMAS C. HENRY

[Signature]

CHARLES B. REDD

CONCURRED IN

[Signatures]

MIKE BURNS
Abstain
MARK GARDUCCI
SAM TALARICO
JIM STIERZ

SANDRA E. KENNEDY
CITY CLERK